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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Placer)

THE PEOPLE,

Plaintiff and Respondent,

v.

DANIEL JOSEPH HOMAN,

Defendant and Appellant.

C062551

(Super. Ct. No.
62080657)

Defendant Daniel Joseph Homan told Cheryl T. he had been "kidnapped and dumped," so she let him enter her home to use the telephone and call for a ride. She asked defendant to leave a few hours later when his ride did not arrive. The following morning, Cheryl noticed her purse and car keys were missing, and her car was taken from the garage. The car was later found abandoned after a hit-and-run collision.

Several days later, defendant entered the open door of Shirley V.'s residence and took her car keys and car. Defendant was later spotted driving the car over 100 miles per hour on the freeway. An officer caught up to defendant at an off-ramp and advised him to stop, but he continued driving with the officer

in pursuit. Defendant ended up on a barricaded one-way street, where the car struck the barricade and rolled down an embankment. The vehicle started a brush fire after it came to a stop. The four other occupants of the car identified defendant as the driver.

After withdrawing an earlier no contest plea, defendant entered a plea of no contest to two counts of first degree burglary (Pen. Code, § 459) and single counts of unlawful driving or taking a vehicle (Veh. Code, § 10851, subd. (a)), felony evading a peace officer with willful disregard (Veh. Code, § 2800.2, subd. (a)), resisting a peace officer (Pen. Code, § 148, subd. (a)(1)), reckless driving (Veh. Code, § 23103, subd. (a)), recklessly causing a fire to the property of another (Pen. Code, § 452, subd. (d)), and driving without a license (Veh. Code, § 12500, subd. (a)) and admitted prior strike and serious felony allegations. The court sentenced defendant to 17 years in prison, imposed various fines and fees, ordered \$1,404.62 in victim restitution, and awarded 466 days' presentence credit (406 days' actual time and 60 days' conduct).

Having failed to obtain a certificate of probable cause (Pen. Code, § 1237.5.), defendant appeals.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the

date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

RAYE, J.

We concur:

SIMS, Acting P. J.

CANTIL-SAKAUYE, J.